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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

LESLIE HENDERSON,

Plaintiff,

vs.

EXP REALTY, LLC,

Defendant.

Case No. 3:21-cv-00275-MMD-CSD

**STIPULATION AND ORDER TO
EXTEND DISCOVERY AND
DISPOSITIVE MOTION DEADLINES**

(First Request)

Defendant eXp Realty, LLC (“Defendant”), by and through its counsel, the law firm of Jackson Lewis P.C., and Plaintiff Leslie Henderson (“Plaintiff”) by and through her counsel, the law firm of Mark Mausert Law, hereby stipulate and agree as follows:

1. On October 25, 2021, the Court entered an Order granting the Stipulated Discovery Plan and Scheduling Order. ECF No. 20.

2. The universe of evidence in this case is almost entirely electronically stored information including emails, text messages, and cloud-based documents. Defendant has been working diligently to identify relevant ESI within its systems, but those efforts have been slowed due to the number of custodians to be searched, out of office time due to the Omicron variant surge, holidays and planned time away, and the sheer volume of information to be reviewed. As a result, the parties have refrained from undertaking further discovery efforts until relevant ESI can be

1 produced and the parties can review so as to ensure the efficient use of their respective time and
2 resources in conducting discovery in this case.

3 3. This is the first request by the parties to extend the discovery deadlines set forth in
4 the October 25, 2021 Order. ECF No. 20.

5 4. The parties stipulate and agree to extend the deadline for the close of discovery for
6 sixty (60) days to allow the parties to complete written discovery and conduct necessary depositions
7 in order to fully evaluate the claims and defenses presented.

8 **STATEMENT OF DISCOVERY THAT HAS BEEN COMPLETED**

9 On November 4, 2021, Defendant served its initial disclosures. On November 8, 2021,
10 Plaintiff served her initial disclosures. Defendant served Plaintiff with interrogatories and requests
11 for production on February 2, 2022.

12 **STATEMENT OF DISCOVERY THAT REMAINS TO BE COMPLETED**

13 The parties are preparing to exchange written discovery and conduct depositions of Plaintiff,
14 Defendant's 30(b)(6) witness, and several non-party witnesses identified by Plaintiff. In addition,
15 the parties anticipate that subpoenas duces tecum to several third-party custodians may be necessary
16 to facilitate the production of relevant medical and employment records, and communications. For
17 the above stated reasons, the parties request that the discovery deadline be extended 60-days from
18 March 15, 2022 to **May 16, 2022**.

19 **PROPOSED SCHEDULE**

20 The parties stipulate and agree that:

21 1. **Discovery:** The discovery period shall be extended sixty (60) days from **March 15,**
22 **2022 to May 16, 2022.**

23 2. **Dispositive Motions:** The parties shall have through and including **June 15, 2022,**
24 to file dispositive motions, which is thirty (30) days after the discovery deadline.

25 3. **Pre-Trial Order:** If no dispositive motions are filed, the Joint Pretrial Order shall
26 be filed thirty (30) days after the date set for the filing of dispositive motions. In the event dispositive
27 motions are filed, the date for filing the Joint Pretrial Order shall be suspended until thirty (30) days
28 after decision on the dispositive motions or by further order of the Court.

1 4. **Extensions or Modifications of the Discovery Plan and Scheduling Order:** In
2 accordance with Local Rule 26-3, a stipulation or motion for modification or extension of this
3 discovery plan and scheduling order and any deadline contained herein, must be made not later than
4 twenty-one (21) days before the subject deadline.

5 This stipulation and order is sought in good faith and not for the purpose of delay.

6 Dated this 3rd day of February, 2022.

7 MARK MAUSERT LAW

JACKSON LEWIS P.C.


8
9 /s/ Mark Mausert
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15 *Leslie Henderson*

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Attorneys for Defendant
eXp Realty, LLC

16 **IT IS SO ORDERED.**

17 
18 U.S. Magistrate Judge

19 Dated: February 4, 2022
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